

**Notice of Allowability**

Application No.

10/823,838

Examiner

Douglas N Washburn

Applicant(s)

SAEBI, NASSER

Art Unit

2863

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to filing of 13 April 2004.
2. ☒ The allowed claim(s) is/are 1 and 2.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☒ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### ***Prior Art Cited***

1       Matras (US 3,932,969) teaches ferrocement structures and a method for their production. A load-bearing framework is provided and covered with a strong flexible sheet-like material, a flexible metal reinforcing material, and cement mortar is applied to the exterior to cover the reinforcing material. Matras is silent regarding steps of creating a drawing of a building in a computer using a computer assisted drawing (CAD) program, sectioning the building in the program into slices, forming pieces of foam that replicate the slices and joining the foam slices to each other to form opposed surfaces

Feygin (US 5,354,414; US 5,637,175 and US 5,876,550) teaches a manufacturing apparatus, method of manufacture, and products manufactured. Three-dimensional objects are formed from individually contoured laminations of similar or gradually varying shape, successive lamina of that object. Produced out of thin sheet or powder based materials through the cutting, fusing or physiochemical property changing action generated by a computer directed beam of concentrated energy or matter, successive substantially planar laminations of an object are automatically stacked together for step-wise laminar buildup of the object. Feygin is silent regarding steps of forming pieces of foam that replicate slices or segments of a building, joining the foam slices to each other to form opposed surfaces, and coating the opposed surfaces with fiber reinforced concrete.

Burns (US 5,514,232) teaches a method and apparatus for automatically fabricating a three-dimensional object from individual layers of fabrication material having a predetermined configuration. Successive layers are stacked in a predetermined sequence and affixed together to form the object. The fabrication material is carried on a substrate to a stacker station. At this station the individual layers are stacked together, with successive layers being affixed to each other, with the substrate removed after affixation. Burns is silent regarding steps of forming pieces of foam that replicate the slices, joining the foam slices to each other to form opposed surfaces, and coating the opposed surfaces with fiber reinforced concrete.

Asada et al. (US 5,684,713) teaches a method and an apparatus for automatically fabricating a physical prototype. The apparatus includes a prototype fabrication unit, an experimentation unit, and a design feature change calculation unit, which also includes a Jacobian adjustment unit. Systematic, automatic design of complex physical structures is accomplished, without the need for a precise initial prototype or understanding of the relationship between the physical features and the performance characteristics. Coatings may be added by using a photo-setting polymer; a fast setting plaster or cement; a sprayed or sputtered metal film, etc. Asada is silent regarding steps of forming pieces of foam that replicate the slices, joining the foam slices to each other to form opposed surfaces, and coating the opposed surfaces with **fiber reinforced concrete**.

***Allowable Subject Matter***

2 The following is an examiner's statement of reasons for allowance:

Claim 1 recites, in part, "forming pieces of foam that replicate the slices, joining the foam slices to each other to form opposed surfaces, and coating the opposed surfaces with fiber reinforced concrete". This feature in combination with the remaining claimed structure avoids the prior art of record.

Claim 2 recites, in part, "forming pieces of foam that replicate the slices, coating a portion of the foam slices with fiber reinforced concrete, joining the foam slices to each other to form opposed surfaces, and coating the opposed surfaces with fiber reinforced concrete". This feature in combination with the remaining claimed structure avoids the prior art of record.

It is these limitations, which are not found, taught or suggested in the prior art of record, and are recited in the claimed combination that makes these claims allowable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

3 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas N Washburn whose telephone number is (571) 272-2284. The examiner can normally be reached on Monday through Thursday 6:30 AM - 4:30 PM.

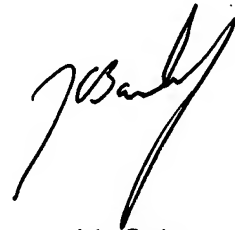
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DNW

A handwritten signature in black ink, appearing to read 'J. Barlow', written in a cursive style.

John Barlow  
Supervisory Patent Examiner  
Technology Center 2800